

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS** Date: **APRIL 6, 2010**

From: **JAMES DURFEE / WILL DICKINSON** *WDD*

Subject: **PAYMENT OF AN ADMINISTRATIVE CIVIL LIABILITY FOR SEWER MAINTENANCE DISTRICT 3**

ACTION REQUESTED / RECOMMENDATION: No action is required. This informational item explains why Sewer Maintenance District 3 (SMD 3) in the Horseshoe Bar area was assessed a \$15,000 fine by the Central Valley Regional Water Quality Control Board (RWQCB).

BACKGROUND: SMD 3 provides sewer service to approximately 528 connections (615 EDUs) in the Horseshoe Bar area. Wastewater Treatment Plant 3, constructed in 1962, uses biological and filtration processes that cannot meet current regulatory standards as defined in a new permit for Plant 3 approved by the RWQCB in June 2007. Violations of the discharge standards included in the permit are subject to Mandatory Minimum Penalties (MMPs) of \$3,000 for each violation.

On November 12, 2009, SMD 3 received an Administrative Civil Liability Complaint (ACLC) from the RWQCB for five discharge violations at Plant 3 from January 1 to August 31, 2009. All five of these discharge violations are subject to MMPs. The ACLC included the assessment of \$15,000 in MMPs for these five violations with a payment remittance deadline of December 14, 2009. Staff reviewed the ACLC and concluded the RWQCB correctly assessed the MMPs. Payment was made on November 19, 2009.

Each violation identified in the ACLC was an exceedance of the permit standards for ammonia. On January 8, 2008 your Board sent a letter to the RWQCB stating that the County intends to pursue regionalization of the sewer system by abandoning Plant 3 and constructing a pipeline to Roseville for treatment. The County is working with the Army Corps of Engineers to design the necessary improvements using Federal grant funds. Staff anticipates bringing contracts to your Board for approval in the near future. Because regionalization will take a number of years to complete, and construction funding is not yet identified, the County has taken interim steps to comply with the ammonia standard. These steps include:

- In September 2009, County staff completed construction of two continuous chemical feed systems for Plant 3 to increase the efficiency and reliability of the existing ammonia removal process.
- On October 20, 2009, your Board approved the advertisement and award of a contract to construct the SMD 3 De-nitrification Project. The \$1.14 million dollar construction project is required to comply with a new nitrate standard effective in June 2011. It will also provide additional treatment for ammonia, and will replace the existing Plant 3 filtration system. Construction will be completed by January 20, 2011.
- On November 3, 2009, your Board approved the purchase of a continuously reading ammonia meter. The meter enables staff to calibrate the chemical feed systems and respond more quickly to ammonia treatment deficiencies.

ENVIRONMENTAL CLEARANCE: Payment of an ACLC is not considered a project under the California Environmental Quality Act Guidelines

FISCAL IMPACT: Funding for the \$15,000 ACLC came from the Fiscal Year 2009/10 SMD 3 Operations Budget.

JD:WD:KS:LM

AVAILABLE FOR REVIEW AT THE DEPARTMENT OF FACILITY SERVICES: ACLC

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